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9 Attorneys for Plaintiff

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA, )  
15 Plaintiff, ) No. CR 07-0337 MHP  
16 v. ) [Filed May 30, 2007]  
17 JACQUELINE FROEHLICH- )  
18 L'HEUREAUX, )  
19 Defendant. ) SAN FRANCISCO VENUE  
20  
21

22 UNITED STATES OF AMERICA, )  
23 Plaintiff, ) No. CR 07-0568 MHP  
24 v. ) [Filed August 31, 2007]  
25 MARK JACOBSON, )  
26 Defendant. ) SAN FRANCISCO VENUE  
27  
28

29 UNITED STATES OF AMERICA, )  
30 Plaintiff, ) No. CR 08-0237 JSW  
31 v. ) [Filed April 10, 2008]  
32 DAVID NOSAL and )  
33 BECKY CHRISTIAN, )  
34 Defendants. ) SAN FRANCISCO VENUE  
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37 NOTICE OF RELATED CASE  
38 CR 07-0337 MHP

1 The United States of America, pursuant to Local Criminal Rule 8-1, hereby notifies the  
2 Court that the three above-captioned criminal cases are related. The more recent charges filed on  
3 April 10, 2008 in case CR 08-0237 JSW (see Attachment) involve two individuals alleged to  
4 have been involved in the same alleged events and occurrences as the defendants charged in the  
5 Informations in case CR 07-0337 MHP (Froehlich-L'Heureaux) and CR 07-0568 MHP  
6 (Jacobson) now pending before The Honorable Marilyn Hall Patel. This Court previously found  
7 the Jacobson case (which initially had been assigned to The Honorable Maxine M. Chesney) to  
8 be related to the Froehlich-L'Heureaux case. See CR 07-0568 MHP, docket entry 3 (related case  
9 finding); *see also* CR 07-0337 MHP, docket entry 11 (related case finding).

10 The Informations in case CR 07-0337 MHP (Froehlich-L'Heureaux) and CR 07-0568  
11 MHP (Jacobson) relate to those defendants' participation in a conspiracy (1) to gain unauthorized  
12 access and exceed authorized access to the computer systems of Korn/Ferry International; (2) to  
13 traffic in a Korn/Ferry International password; and, with respect to Jacobson, (3) to  
14 misappropriate, receive, possess, and transmit trade secrets.

15 Similarly, the Indictment in the newly filed case CR 08-0237 JSW relates to the  
16 defendant Nosal's and the defendant Christian's alleged participation in a conspiracy (1) to gain  
17 unauthorized access and exceed authorized access to the computer systems of Korn/Ferry  
18 International; (2) to traffic in a Korn/Ferry International password; and (3) to misappropriate,  
19 receive, possess, and transmit trade secrets belonging to Korn/Ferry. The Nosal/Christian  
20 Indictment also contains substantive unauthorized computer access charges, substantive trade  
21 secret charges, and conspiracy and substantive charges relating to mail fraud. Some of the overt  
22 acts alleged in the Informations in case CR 07-0337 MHP and CR 07-0568 MHP are the same as  
23 those alleged in the Indictment in case CR 08-0237 JSW.

24 Based upon these facts, the cases are related within the meaning of Local Rule 8-1(b)(1)  
25 because they involve the same alleged events and occurrences. Furthermore, the cases are related  
26 within the meaning of Local Rule 8-1(b)(2) because, if heard by separate judges, they are likely  
27 to entail substantial duplication of labor by the two judges or may create unnecessary expenses.  
28 This is true, at least in part, because the both Froehlich-L'Heureaux and Jacobson may testify in

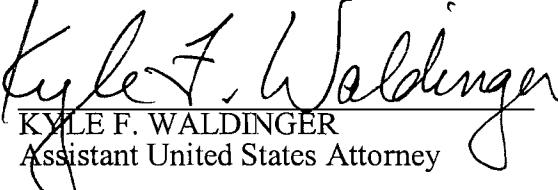
1 any trial in the newly filed case. Moreover, the issue of loss amount may be contested in each of  
2 the cases. The Court's resolution of the loss-amount issue in one case will likely be relevant (or  
3 even dispositive) of that issue in the other cases.

4 Per the requirement of Local Criminal Rule 8-1(c)(4), government counsel states that  
5 assignment of these cases to a single judge is likely to conserve judicial resources and promote an  
6 efficient determination of each action.

7 DATED: April 14, 2008

Respectfully submitted,

8 BRIAN J. STRETCH  
9 Acting United States Attorney

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11 KYLE F. WALDINGER  
12 Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the office of the United States Attorney, Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned certifies that she caused copies of

## NOTICE OF RELATED CASE IN A CRIMINAL ACTION

in the case of **UNITED STATES v. JACQUELINE FROEHLICH-L'HEUREAUX, CR 07-0337 MHP** to be served on the parties in this action, by placing a true copy thereof in a sealed envelope, addressed as follows which is the last known address:

**Steve Bauer  
Latham & Watkins  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111-6538  
Fax: 415-395-8095**

Thomas F. Carlucci  
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One Maritime Plaza, Suite 600  
San Francisco, CA 94111  
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12 Steven F. Gruel, Esq.  
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14 655 Montgomery Street, Suite 1700  
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16 Fax: 415-576-1442

**Leland (Lee) Altschuler, Esq.  
407 Sherman Avenue, Suite 200  
Palo Alto, CA 94306  
Fax: 650-327-9151**

(By Personal Service), I caused such envelope to be delivered by hand to the person or offices of each addressee(s) above.

(By Facsimile), I caused each such document to be sent by Facsimile to the person or offices of each addressee(s) above.

(By Mail), I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at San Francisco, California.

(By Fed Ex), I caused each such envelope to be delivered by FED EX to the address listed above.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 14, 2008

RAWATY YIM  
United States Attorney's Office